

HOUSE BILL 468  
By Odom

AN ACT to amend Tennessee Code Annotated, Title 55,  
relative to engine compression brakes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 55, Chapter 7, Part 1, is amended by inserting the following as a new, appropriately designated section thereto:

(a) In any county having a population of between three hundred seven thousand eight hundred (307,800) and eight hundred ninety-seven thousand five hundred (897,500) according to the 2000 federal census or any subsequent federal census, trucks and truck tractors, or similar motor vehicles identified by the department of safety, shall not operate in those counties unless the engine compression brakes of the vehicles are muffled by an approved muffler type.

(b) The department of safety shall prescribe by rule the appropriate muffler type to be used on trucks or truck tractors, or similar motor vehicles, to prevent unnecessary noise emissions by those motor vehicles when they employ engine compression brakes in jurisdictions that regulate the use of engine compression brakes without a muffler pursuant to subsection (a).

(c) Notice of the provisions of this section shall be uniformly posted on street signs by each county. The department of safety, in consultation with the department of transportation, shall prescribe by rule the required minimal content, number and placement of the street signs required by this section.

(d) A violation of this section is a Class C misdemeanor, punishable as follows:

(1) For a first violation, a fine of fifty dollars (\$50.00). A person charged with a first violation of this section may, in lieu of appearance in court, submit a

fine of fifty dollars (\$50.00) to the clerk of the court which has jurisdiction of such offense within the county in which the offense charged is alleged to have been committed; and

(2) For a second or subsequent violation, a fine not less than fifty dollars (\$50.00) nor more than five hundred dollars (\$500).

SECTION 2. The commissioner is authorized to promulgate rules and regulations to effectuate the purposes of this act. All such rules and regulations shall be promulgated in accordance with the provisions of Tennessee Code Annotated, title 4, chapter 5.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.